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→ Proposed 2022 Ballot Issues

A citizen proposed ballot issue can only appear on the federal general election ballot once the proposed language has fulfilled three requirements. First, the language must be submitted to Montana's Legislative Services Division. Second, the Montana Attorney General must conduct a legal review. Finally, after the review process is complete, and the sponsor has been notified by the Secretary of State of the approval or rejection of the ballot issue, the sponsor must collect sufficient verified signatures from qualified voters in Montana. [Propose a ballot issue »](#)

**Initiative or referendum for the ballot** – Signatures must be obtained from 5 percent of the total number of qualified voters in Montana (based on the number of votes cast for the office of governor in the last general election), including 5 percent of the voters in each of 34 legislative house districts.

**Constitutional amendment by initiative** – Signatures must be obtained from 10 percent of the total number of qualified voters in Montana (based on the number of votes cast for the office of governor in the last general election), including 10 percent of the voters in each of 40 legislative house districts.

## ISSUES QUALIFIED FOR THE 2022 GENERAL ELECTION BALLOT

### C-48 (SB 203)

**Subject:** “An act submitting to the qualified electors of Montana an amendment to Article II, Section 11, of the Montana Constitution to explicitly include electronic data and communications in search and seizure protections.”

**Type:** Constitutional Amendment

**Status:** Legislature referred SB 203 to the 2022 General Election Ballot.

**Fiscal Note:** No fiscal note.

### LR-131 (HB 167)

**Subject:** “An act adopting the Born-Alive Infant Protection Act; providing that infants born alive, including infants born alive after an abortion, are legal persons; requiring health care providers to take necessary actions to preserve the life of a born-alive infant; providing a penalty; providing that the proposed act be submitted to the qualified electors of Montana; and providing an effective date.”

**Type:** Legislative Referendum

**Status:** Legislature referred HB 167 to the 2022 General Election Ballot.

**Fiscal Note:** No fiscal note.

### LR-132 (HB 325)

**Subject:** “An act establishing supreme court districts; providing for the selection of the chief justice; providing that the proposed act be submitted to the electorate at the 2022 general election; amending section 3-2-101, MCA; and providing an effective date and an applicability date.”

**Type:** Legislative Referendum

**Status:** Legislature referred HB 325 to the 2022 General Election Ballot.

**Fiscal Note:** No fiscal note.

## SUBMITTED BALLOT ISSUES FOR THE 2022 GENERAL ELECTION BALLOT

### **Ballot Issue #1**

**Subject:** Multiple Subjects in an Initiative. To amend Montana’s Constitution so that in the event the two major political parties fail to publicly agree on the winner of a United States presidential election within seven days after such election, the initiative petition process may be used by voters to propose amendments to the state Constitution, and requiring a vote on any such petitions

In addition, any initiative petition submitted satisfying the requirements of an initiative petition within three years after such election, shall be submitted to the voters for a vote at the sooner of (a) sixty days after approval of this initiative, or (b) the next general election

**Type:** Constitutional Initiative

**Submission #1:** 11/11/2020

**Status:** Waiting on submitter response to Legislative Services Division correspondence sent on 11/20/2020.

**Submitter:** Arthur Taylor

### **Ballot Issue #2**

**Subject:** To amend Montana’s Constitution with a finding that the United States of America has effectively collapsed, ceases to exist, or is no longer functional.

**Type:** Constitutional Initiative

**Submission #1: 11/11/2020**

**Status:** Waiting on submitter response to Legislative Services Division correspondence sent on 11/20/2020.

**Submitter:** Arthur Taylor

**Ballot Issue #3**

**Subject:** To amend Montana's Constitution so that in the event the United States of America ceases to exist or is no longer functional, a new national government shall be established, providing basic law and order to its inhabitants, and allowing its citizens to make for themselves important decisions at the state and local level, rather than at the national level.

**Type:** Constitutional Initiative

**Submission #1: 11/11/2020**

**Status:** Waiting on submitter response to Legislative Services Division correspondence sent on 11/20/2020.

**Submitter:** Arthur Taylor

**Ballot Issue #4**

**Subject:** joins the State of Montana in a compact with other states that requires the member states to commit their electoral votes for President of the United States to the candidate who receives the most overall votes (national popular vote). I-[] would become effective when the states in the compact have a combined total of more than 269 electoral votes.

**Type:** Initiative

**Submission #1: 12/24/2020**

**Status:** Waiting on submitter response to Legislative Services Division correspondence sent on 01/06/2021.

**Submitter:** Connor Brantley and James Keyes

**Ballot Issue #5**

**Subject:** Multiple subjects in an initiative. To amend Montana's Constitution so that it (a) clarifies the Federal Government duty to uphold the rights of Montana citizens under the U.S. Constitution, including the Bill of Rights and all other provisions, (b) identifies breaches by the Federal Government, and (c) affirms Montana's right to assess the severity and consequences of such breaches. In addition, to amend Montana's Constitution so that it includes the Bill of Rights as part of the State Constitution.

**Type:** Initiative

**Submission #1: 2/11/2021**

**Status:** Pending submitter clarification if this is an amended or new submission.

**Submitter:** Arthur Taylor

**Ballot Issue #9**

**Subject:** CI [\*\*\*] limits annual increases in valuations of residential property to either 2% or the inflation rate (whichever is lower) when assessing property taxes. It establishes 2019 state valuations as the base year for the valuations. It provides for reassessment by the state if a residential property has been newly constructed or significantly improved or has a change of ownership. It requires the Legislature to limit total ad valorem property taxes on residential property to 1% or less of the assessed

valuation. It authorizes the Legislature to define “residential property” and provide for the application and implementation of the provisions of the initiative and permits the Legislature to assess other real property based on acquisition value.

**Type:** Constitutional Initiative

**Submission #1:** 8/31/2021

**Submission #2:** 9/7/2021

**Submission #3:** 9/29/2021

**Submission #4:** 11/09/2021

**Status:** SOS referral to Attorney General for legal sufficiency review on 11/22/2021

**Submitters:** Matthew Monforton, Troy Downing

### **Ballot Issue #10**

**Subject:** [Initiative number] proposes to divide the state of Montana in to two states and form the state of East Montana. [Initiative number] provides the proposed border between the states. [Initiative number] establishes transition committees in different policy areas to develop master plans to divide Montana. Approval by the electorate of [initiative number] would initiate the process to divide Montana into two states, but the consent of the United States Congress is required to complete the division.

**Type:** Initiative

**Submission #1:** 9/11/2021

**Submission #2:** 10/8/2021

**Status:** Waiting on submitter response to Legislative Services Division correspondence sent on 10/28/2021

**Submitter:** Jordan F. Ophus

### **Ballot Issue #12**

**Subject:** [Initiative #] proposes to amend the Montana state Constitution to require energy providers to produce or source the energy they provide from 100 percent renewable resources by 2050.

**Type:** Constitutional Amendment

**Submission #1:** 9/26/2021

**Status:** Received petition from Attorney General

**Submitter:** Jordan F. Ophus

### **Ballot Issue #13**

**Subject:** [Initiative number] proposes to amend the Montana state constitution to abolish the death penalty in the state of Montana. Approval by the electorate would remove the death as a punishment for any crime under Montana law and would stop the imposition of the death penalty on any offenders currently sentenced to death.

**Type:** Constitutional Amendment

**Submission #1:** 9/27/2021

**Status:** Received petition from Attorney General

**Submitter:** Jordan F. Ophus

### **Ballot Issue #14:**

**Subject:** [initiative number] proposes legislation to initiate the application process to Congress for a limited constitutional convention that addresses a nationwide popular election for the office of president and vice president . [initiative number] proposes an amendment to the United States Constitution for consideration by the constitutional

convention, if convened which establishes a uniform set of requirements for presidential and vice presidential candidates that maybe set by congress; Provides that the times, places, and manner of holding such elections and entitlement to inclusion on the ballot shall be prescribed in each state by the legislature unless a law is made or otherwise altered by congress and provides that the candidate with the greatest number of votes shall be elected. Approval by the electorate of [initiative number] would initiate the application process, but the application of two-thirds of the states is necessary to enact a convention to deliberate the proposed amendment.

**Type:** Initiative

**Submission #1:** 10/8/2021

**Status:** SOS referral to Attorney General for legal sufficiency review on 11/22/2021

**Submitter:** Jordan F. Ophus

#### **Ballot Issue #15:**

**Subject:** [initiative number] proposes legislation to initiate the application process to Congress for a limited constitutional convention that addresses the Supreme court reform. [initiative number] proposes an amendment to the United States Constitution for consideration by the constitutional convention, if convened which establishes staggered, 18-year terms for Supreme Court Justices and limits the senate's advice and consent authority in relation to the appointment of justices; Requires the president to appoint a Supreme Court Justice every two years, designates retired chief justices as senior justices, and provides the procedures to fill vacancies on the court. This Amendment would exempt justices appointed before its enactment. Approval by the electorate of [initiative number] would initiate the application process, but the application of two-thirds of the states is necessary to enact a convention to deliberate the proposed amendment.

**Type:** Initiative

**Submission #1:** 10/18/2021

**Status:** Waiting on submitter response to Legislative Services Division correspondence sent on 11/01/2021.

**Submitter:** Jordan F. Ophus

#### **Ballot Issue #16:**

**Subject:** [initiative number] proposes legislation to initiate the application process to Congress for a limited constitutional convention that addresses presidential pardons . [initiative number] proposes an amendment to the United States Constitution for consideration by the constitutional convention, if convened which establishes that the president may not grant pardon or reprieve to himself or herself, to family members or members of the administration, to campaign employees, to a person or entity for an offense motivated by an interest of any of those people, or to a person or entity for an offense directed by or coordinated with the President. The amendment also invalidates pardons issued for a corrupt purpose. Approval by the electorate of [initiative number] would initiate the application process, but the application of two-thirds of the states is necessary to enact a convention to deliberate the proposed amendment.

**Type:** Initiative

**Submission #1:** 10/18/2021

**Status:** Waiting on submitter response to Legislative Services Division correspondence

sent on 10/29/2021.

**Submitter:** Jordan F. Ophus

**Ballot Issue #17**

**Subject:** [Initiative number] proposes to amend Article 2 of the Montana constitution by adding a new section that abolishes both slavery and involuntary servitude.

[Initiative number] provides the state legislature the power to enforce the section by appropriate legislation.

**Type:** Constitutional Amendment

**Submission #1:** 10/26/2021

**Status:** Waiting on submitter response to Legislative Services Division correspondence sent on 11/12/2021.

**Submitter:** Jordan F. Ophus

**Ballot Issue #18**

**Subject:** [initiative number] proposes legislation to initiate the application process to Congress for a limited constitutional convention that addresses the abolition of slavery and involuntary servitude without exemption. [initiative number] proposes an amendment to the United States Constitution for consideration by the constitutional convention, if convened which establishes that slavery and involuntary servitude is abolished without exemption in the united states or any place subject to their jurisdiction. Approval by the electorate of [initiative number] would initiate the application process, but the application of two-thirds of the states is necessary to enact a convention to deliberate the proposed amendment.

**Type:** Initiative

**Submission #1:** 10/27/2021

**Status:** Waiting on submitter response to Legislative Services Division correspondence sent on 11/03/2021.

**Submitter:** Jordan F. Ophus

## ISSUES NOT QUALIFIED FOR THE 2022 GENERAL ELECTION BALLOT

**Ballot Issue #6**

**Subject:** [initiative number] Proposes to divide the state of Montana into the two separate states of North Montana and South Montana and provides the proposed border between the new states. [Initiative number] establishes transition committees in different policy areas to develop master plans to divide Montana. Approval by the electorate of [initiative number] would initiate the process to divide Montana into two states, but the consent of the United States Congress is required to complete the division.

**Type:** Constitutional Amendment

**Submission #1:** 4/16/2021

**Submission #2:** 5/8/2021

**Submission #3:** 5/26/2021

**Submission #4:** 7/4/2021

**Status:** Attorney General determined that the ballot issue is legally insufficient.

**Submitter:** Jordan F. Ophus

**Ballot Issue #7(IR-126)**

**Subject:** IR-126 repeals House Bill (HB) 273 passed by the 2021 Montana Legislature. HB 273 repealed the requirement that Montana voters approve the construction of new nuclear facilities in Montana that generate 50 megawatts of electricity or more. HB 273 also repealed the strict owner liability and safety requirements imposed on only nuclear facilities. These requirements had been in effect since I-80 passed in 1978. IR-126 would put back into law the requirement that Montana voters approve the construction of new nuclear facilities in Montana that generate 50 megawatts of electricity or more and the strict owner liability and safety requirements imposed on only nuclear facilities.

**Type:** Initiative Referendum

**Submission #1:** 5/28/2021

**Submission #2:** 6/18/2021

**Status:** Insufficient quantity of signatures gathered

**Submitter:** Carole Mackin

**Ballot Issue #8**

**Subject:** Limits taxes on real property to 1% of property value. Establishes 2019 valuations as the basis for calculating property taxes. Provides for reassessment after transfer, construction, or significant improvement. Requires other tax increases on real property to be approved by 2/3 of voters.

**Type:** Constitutional Initiative

**Submission #1:** 8/4/2021

**Submission #2:** 8/16/2021

**Status:** Withdrawn on 8/31/2021 due to new submission received on 8/31/2021 – Ballot Issue #9

**Submitters:** Matthew Monforton, Troy Downing

**Ballot Issue #11**

**Subject:** I-\*\*\* proposes legislation to initiate the application process to Congress for a limited constitutional convention that addresses campaign finance reform. I-\*\*\* proposes an amendment to the United States Constitution for consideration by the constitutional convention, if convened, which provides certain spending and contribution limits, prohibits corporations from spending money for the purpose of influencing certain elections, requires Congress to enact certain legislation, prohibits congressional members from receiving certain compensation 1 year after the amendment's ratification, allows citizens a private right of action to enforce the amendment, and provides states with power to regulate the raising and spending of money in state or local elections. Approval by the electorate of I-\*\*\* would initiate the application process, but the application of two-thirds of the states are necessary to enact a convention to deliberate the proposed amendment.

**Type:** Initiative

**Submission #1:** 9/17/2021

**Status:** Attorney General determined that the ballot issue is legally insufficient

**Submitter:** Jordan F. Ophus

If you observe and have concerns about questionable signature gathering, you may file a complaint with the Secretary of State, who will forward each complaint to the appropriate county official. See signature gathering information »

Note: The subject of a ballot issue may be paraphrased on this page. For ballot issues approved for signature gathering or qualified for the ballot, see the link for the statement that appears on the ballot.

## LOCATION & CONTACT OUR SUPPORT, HELP, RESOURCES

Christi Jacobsen  
Montana Secretary of State  
Montana Capitol Building, Rm 260  
P.O. Box 202801  
Helena, MT 59620-2801  
Front Desk: 406-444-2034

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